VOLUME 13, ISSUE 4



KCJIS NEWSLETTER

NOVEMBER 2011

DNA INDEX SYSTEM UNIT NEWS JOHN GUANTT-BIOLOGY-KBI

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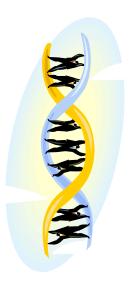
The Kansas Bureau of Investigation's Combined DNA Index System (CODIS) Unit is pleased to announce the implementation of a web-based program for arrestee and offender sample processing. The new program called Offender Web Program will replace the current DNA Collection (DNAC) program. The new webbased program will allow the KBI to manage the system in house and keep the statutes up-dated for your use. The new program also does not require the bar code printer. The web-based program is currently in beta-testing and is anticipated to be ready for full release in November.

This is to inform you of the implementation and to give you an opportunity to set up training for the necessary personnel. The web based program will be accessed through the Kansas Criminal Justice Information System (KCJIS) network and will require a token.

Please be aware that the information in the DNAC program is not up-to-date. So, while samples will continue to be accepted using DNAC or by hand, the Kansas Bureau of Investigation will no longer support the DNAC program after the web based program is released.

If you have any questions, anyone in the Databank may help you. Please call 785-296-8200 and ask for the Databank, or call 620-792-4353 and ask for Lisa Burdett.

Thank you for your cooperation and patience as we move toward implementing this new and improved process.



NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) SANDRA MOORE AND MELISSA WARRINGTON, KS NICS POC'S

You may notice a sudden increase of NICS requests as we enter another autumn. With hunting season upon us, there is customarily an increased flow of individuals attempting to purchase firearms. The basic function and purpose of NICS is to determine if an individual meets the state and federal qualifications for the purchase of a firearm. Your assistance is greatly appreciated in providing

the criminal background information that is necessary for making this determination.

Why are we asking for a response within seventy-two hours? If the requested information is not provided within seventy-two hours the retailer can legally transfer the firearm to the buyer. If disqualifying information has been received after the seventy-two hours and the transfer has already been

made, the involvement of the Bureau of Alcohol, Tobacco and Firearms (ATF) is required to retrieve the firearm.

When responding to a NICS request, please be sure to provide the following information as it could be crucial in determining firearm eligibility and could potentially be an instant disqualifier.

Continued on page 2

NICS-CONTINUED

Arresting agencies

-Warrants: please provide the originating agency of the warrant.

-Whenever possible, please provide the entire incident report including the narrative (this information is essential in determining the components of domestic violence, the use of drugs and the use of firearms).

Prosecutors / Courts:

-Active probations / diversions: please provide a copy of the terms and conditions.

-Pending felony cases: please specify whether the defendant is under indictment or information.

-Disposition information: please specify the level of the charge (Misdemeanor/ Felony) When the requested information is not available or may require additional time to retrieve, please notify us via phone or fax. If you have any questions please do not hesitate to contact: Melissa Warrington at 785-296-4430 (8am-4pm) or Sandra Moore at 785-296-8272 (4pm-midnight).



MONITORING KBI AFIS RESPONSE MESSAGES ELY MEZA, KBI INFORMATION TECHNOLOGY DEPARTMENT

Kansas law enforcement agencies with livescans connected to the KBI AFIS (Automated Fingerprint Identification System) should be aware that response messages are sent back to their agencies for each fingerprint record submitted electronically to the KBI. The response messages are sent to both an e-mail address and a KCJIS terminal mnemonic that your agency has provided to the KBI.

One AFIS response message an agency might receive is the one related to a record rejection (or record ERROR message). When an agency receives an ERROR message, the staff monitoring the KBI AFIS response messages should determine the error or errors that caused the rejection, fix the record, and resubmit the corrected record to the KBI AFIS. When a fingerprint record is resubmitted, the Resubmission Flag data field should be set to "Y". It is im-

portant the agency staff correcting and re-submitting the finger-print record use the original Processing Control Number. The Processing Control Number is a required data element that is part of the fingerprint record submitted to the KBI AFIS and, for the most part, created by the livescan.

The KBI AFIS response messages include not only fingerprint records related information but also reports listing the fingerprint records received by the KBI the previous day. The name of this report is the KBI AFIS Daily Report. If you know your agency submitted fingerprints records, yet the daily report does not indicate any were received by the KBI, then, you need to look further into the problem.

Law enforcement agencies should verify the livescan is communicating with the KBI

AFIS. If the operator suspects fingerprint records are not being sent to the KBI AFIS, the operator should report the problem to the agency's TAC (Terminal Control Agency) or IT staff, so they can check the agency's network/ firewall. If the agency suspects the livescan is not communicating with the KBI AFIS, the agency TAC should contact the KBI Help Desk. If the problem is determined to be with the livescan device itself, the agency staff should contact the livescan vendor's Help Desk and report the problem.

If your agency has any questions regarding the KBI AFIS response messages and/or the KBI AFIS Daily Report, please contact Ely Meza at (785) 296-8254 or

ely.meza@kbi.state.ks.us.

"All livescan
agencies should
be aware that
responses are
sent back
electronically."

KIBRS YEAR-END DEADLINE

JANELL ZEILER, INCIDENT BASED REPORTING SECTION- KBI

The Incident Based Reporting Section at the Kansas Bureau of Investigation would like to remind all local law enforcement agencies January 13, 2012 is the deadline to submit all January-December 2011 Kansas Standard Offense and Arrest Reports to the KBI for inclusion in the FBI Crime in United States publication. These dates also represent the deadline for submitting the Law Enforcement Officers Killed and Assault (LEOKA) Report, Supplemental Homicide Reports and the Zero Report. The IBR Section does not guarantee inclusion in state and federal publications if your agency does not submit the required reports by the deadline.



RAPID UNITS AVAILABLE THRU THE KBI

ELY MEZA, KBI INFORMATION TECHNOLOGY DEPARTMENT

The KBI has 21 wireless, twofinger RapID devices available that any agency may request. The devices are free of charge; the agency must be willing only to cover the costs associated with the maintenance contract and the wireless communication provider (AT&T, SPRINT, Verizon Wireless or T-Mobile).

Agencies interested in obtaining one or more of these units, please contact Ely Meza at (785) 296-8254 or ely.meza@kbi.state.ks.us.

The following may answer some of your questions regarding the use of AFIS Rap-ID technology.

What is a wireless two-finger identification device (RapID)?

A wireless two-finger identification device, commonly referred to as a Rap ID, is a handheld instrument used to take digital fingerprints. This instrument can be used to identify a suspect while in the field with-out having to return to the station. Once scanned,

the fingerprints are transmitted via cellular phone to the KBI Automated Fingerprint Identification System (AFIS) database to search for matches

How is identity established once the fingerprints are transmitted?

Fingerprints are compared with all fingerprints held in the state of Kansas central repository, which is operated by the KBI and located in Topeka, Kansas.

Does the RapID search against the national fingerprint database at the Federal Bureau of Investigation (FBI)?

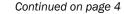
No, the national database is not searched. Currently the FBI does not have the capability to receive and compare prints from a wireless two-finger identification device. However, the FBI is working to pro-vide this functionality in the future.

How long does it take to receive search results?

Officers should receive search results in less than three minutes. However, this may vary depending on such factors as the volume of fingerprint traffic being processed by the central repository and the quality of the wireless connection available to the RapID.

When can a law enforcement officer use the RapID?

The RapID device can be utilized when an officer has reasonable suspicion that a person is, or has been, involved in criminal activity. The officer must reasonably believe that determining identity will establish or negate that person's involvement with the criminal activity. Such circumstances are commonly referred to as —Terry stops. See Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968).





RAPID UNITS-CONTINUED

Does an officer's request for identification constitute a Fourth Amendment seizure?

No. When an officer has reasonable suspicion that a person may be involved in criminal activity, the officer may stop the person briefly and investigate further.

Does a suspect have to consent to being fingerprinted by a RapID?

Although consent is best, it is not necessarily required as long as the officer has reasonable suspicion that a person is, or has been, involved in criminal activity, and reasonably believes that determining identity will establish or negate a person's involvement with such activity.

How long can a suspect be detained for the purpose of utilizing the RapID and taking fingerprints?

The detention must be limited in scope, purpose and duration, and must last no longer than necessary to carry out the purpose of the stop. In addition, the investigative methods should be the least intrusive means reasonably available to verify or dispel the officer's suspicion in a short period of time.

Under what circumstances should a law enforcement officer not use RapID?

If an officer has no reasonable suspicion that a person is, or has been, involved in criminal activity, the officer should not utilize the RapID. An officer may approach an individual on the street for investigative purposes, ask the individual's name and request identification. However, an officer cannot force the individual to answer and the individual is free to leave at any time. In such situations, use of the RapID is not

justified.

How long are fingerprints retained?

They are not retained in the database. After the identification process is complete and the response message is sent to the submitting RapID, the central repository system purges the finger-prints submitted by the RapID.

Where can I obtain more information regarding legal aspects of using the RapID?

Contact legal counsel for your agency to obtain further information.



IBR CERTIFICATION

JANELL ZEILER, INCIDENT BASED REPORTING SECTION-KBI

Congratulations to the Maize Police Department (8/9/11), Pratt Police Department (8/9/2011), and Shawnee Mission USD 512 Police Department (8/26/11) on achieving certification to submit offense and arrest reports electronically to the Incident Based Reporting Section at the KBI. As a certified KIBRS participant, these agencies will play a key role in collecting crime data that is timely, and accurate.

NEWS FROM THE KBI HELP DESK WILSON WILEY & JAVIER BARAJAS - KBI HELPDESK

REMOVING MIDDLE NAMES FROM KANSAS HOTFILES WARRANTS

Have you ever entered a warrant in the Kansas Hotfiles with a middle name, only to find out later you needed to take out the middle name, but had to completely cancel the record? This has been a common problem since the move to OpenFox. You will be glad to know that on September 6, 2011 we put in a fix that solves this issue. You will never have to cancel a record to remove the middle name again.

KCJIS CIRCUIT UPGRADES

Funding was made available to upgrade KCJIS Circuits from 56K frame relay to T1 using MPLS technology. The Kansas Department of Information Systems and Communications (DISC) conducted regional site surveys to determine what upgrades were needed at each site. After the site surveys were completed upgrades were scheduled and DISC along with AT&T began upgrading sites.

DISC is having trouble deploying the new circuit technology at some of the sites and they have discontinued new circuit installations until they can correct the problems with the infrastructure. DISC tentatively expects to have a resolution for the technical issues in early December. Once infrastructure problems are resolved a revised installation schedule will be developed and appropriate notices will be sent.

Did you know there are answers to a lot of common questions posted in the KCJIS FAQs? It is available on the KCJIS web portal. Just click the link below! https://www.kcjis.state.ks.us/information/KCJIS%

KCJIS USER GROUP REDEFINES DIRECTION

A quick Thank You to Michelle Reinhart and Bobbi Price of Marshall County Sherriff's Department and others involved from multiple agencies in developing a well defined direction for the KCJIS User Group. A mission statement was recently developed and a logo is currently being designed! The group is aimed to provide an open platform for discussion of topics, peer support networking and providing a professional support group.

A few topics already discussed are:

- When doing a background investigation on individuals who volunteer in your facility/agency purpose code C is to be used.
- TAC's can request the ability to have users within their agency see each
 other's KCJIS traffic in OpenFox Messenger ™. To request 'Shared Mode'
 provide the KCJIS user ID's to helpdesk@kbi.state.ks.us.
- The KBI Help Desk communicated a new Archive module will be available
 with the new switch cutover scheduled for mid November. (Look for KAM
 messages concerning the cutover on the KCJIS network).
- A future topic will include how to promote great communication, get accurate information from reporting parties and problem callers.

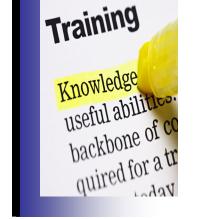
Do you have a question, comment, suggestion or all of the above concerning the KCJIS network? Let your voice be heard and make a submission to the KCJIS Suggestion Box by clicking on

NEWS FROM THE HELPDESK-CONTINUED

CURRENT EVENTS

The following are changes that have been made within the last quarter that have impacted most of the KCJIS community:

- All ALERT terminals were moved to the REJIS system on Aug. 28, 2011.
- The KMW was not submitting all modifiable fields. CPI and KBI Help Desk worked together in finding, testing and implementing a solution on Sept. 4, 2011.
- The CTZ field was not working properly. Message keys involved in the resolution are MC, MGM, MID, MM, MPO, MW and MXS. Completed Sept. 7, 2011.
- The KBI Help Desk identified an issue with images that was causing all CPI users to be disconnected. The issue was resolved on Oct. 13, 2011.
- The KBI Hosted the September KCJIS Users Group Meeting.



Local Agencies - Are you interested in cellular service for your MDU's?



There is a state contract in place with Verizon that you can use. It's unlimited data at \$39.99 per month.

If you are interested in this service, please contact:

Darryn Gillihan - Verizon Wireless Government Team Account Manger

Phone – 785-207-1200 E-Mail: <u>darryn.gillihan@verixonwireless.com</u>



N-DEx TRAINING CLASS



November 29, 2011

The Kansas Highway Patrol is conducting two 4 hour sessions of N-DEx training at the KHP Training Academy, 2025 E. Iron Ave., Salina, KS.

N-DEx is a new FBI system that helps law enforcement investigators solve crimes by sharing information, detecting relationships between people, property, locations, and crime characteristics. The system helps "connect the dots" and aids investigators in developing criminal investigation leads.

This training is geared towards, law enforcement officers, detectives, investigators, KBI Agents, correctional investigators, parole/probation officers and criminal analyst.s.

Session 1 - Nov. 29th 8:00 - Noon

Session 2 - Nov. 29th 1:00 - 5:00

To Register Contact - Amy Johnson, KHP N-DEx Coordinator

E-Mail: AJohnson@khp.ks.gov

SHARED RMS COMING!

Captain Randy D. Moon - Kansas Highway Patrol

The Kansas Highway Patrol will soon be offering a Shared Records Management System to local agencies. KHP, in coordination with Global Software intends to offer the "KLER Justice Solution" package to agencies using KLER.

According to Mark Thurman, KHP Information Technology Officer, the new system will be fully integrated with KLER and brings together four state of the art software packages to provide field reporting, electronic ticketing, RMS and Court management capabilities.

The KHP believes it will be able to offer the full featured RMS at little to no cost to local agencies.





According to Mr. Thurman, the KHP initially plans to provide this service for those smaller agencies that have little or nothing in the way of an RMS. The KHP plans to host the servers and provide agencies licenses to connect to the hosted solution.

While details are still being worked out, the project plan development is underway and pilot site testing will begin late 2011. Agencies can sign up showing their interests now and KHP will begin contacting those agencies back with the next steps in the process to begin in first quarter of 2012.

Several informational meetings are being planned across the state during Fall of 2012. Stay tuned for information on meeting dates and locations.



MORE NEW TERMS, CONCEPTS FROM FBI CJIS SECURITY POLICY

DON CATHEY - KANSAS HIGHWAY PATROL INFORMATION SECURITY OFFICER



Here is a definition from the FBI CJIS Security Policy Appendix A:

Access to Criminal Justice Information — The physical <u>or logical (electronic)</u> ability, right or privilege to view, modify or make use of Criminal Justice Information.

Note the inclusion of the term *logical* to mean access to the electronic systems that may contain CJI. Another key word in this definition is "ability". While "right" or "privilege" implies access has been given, granted or authorized. Reality says that in order to gain access to CJI, a person really only needs the ability.

Armed with this brief discussion of Access to CJI, a review can be done of FBI CJIS policy. Section **5.9.1 Physically Secure Location** reads:

"A physically secure location is a facility or an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect CJI and associated information systems."

The physically secure location is subject to criminal justice agency management control; SIB control; FBI CJIS Security addendum; or a combination thereof. Sections 5.9.1.1 – 5.9.1.9 describe the physical controls required in order to be considered a physically secure location, while section 5.12 describes the minimum personnel security controls required for unescorted access to a physically secure location."

In this section of policy, before an agency's "brick and mortar" building, for example, can be considered "physically secure", the FBI has added considerations of not only the various requirements for locks, activity monitoring systems, visitor logs, equipment arrangements, etc. to control the physical access or viewing of CJI, they have also added into the mix protections against "the insider threat" as detailed in the personnel screening requirements of 5.12 (fingerprint based record checks, etc.).

So what does this mean to your agency? It could mean dollars over senseJ!

Many agencies are now operating a CAD, RMS, or other *database* system *populated by CJI* inside their own Local Area Network. When this is the case, CJIS is concerned about all aspects of that data on your LAN.

Therefore, those agencies must be concerned with their agency status regarding operating KCJIS access devices from physically secure locations (from desktop computers inside their locked building)

Accessing CJI that is located on local networks from within physically secure locations does not require use of Advanced Authentication into the LAN.

Accessing CJI on local networks from locations deemed NOT physically secure REQUIRES the use of ADVANCED AUTHENTICATION into the LAN.

Advanced Authentication into KCJIS is accomplished by use of the RSA SecureID token issued through the KBI.

Advanced Authentication into a local Agency's network is the responsibility of the hosting agency

Must be reviewed and approved by KCJIS.

May be expensive depending on the solution

Please stay tuned for more information on changes to CJIS Policy in future issues of the KCJIS Newsletter.

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FBI CJIS SECURITY POLICY INTRODUCES NEW TERMS, CONCEPTS



DON CATHEY - KANSAS HIGHWAY PATROL INFORMATION SECURITY OFFICER

The current FBI CJIS Security Policy is version 5.0 and is available on the KCJIS web portal. In this version the FBI introduces some new terms, technology requirements, and paradigms that likely will affect what will be considered during tri-annual audits of KCJIS and local agencies.

For instance consider some terms from APPENDIX A TERMS AND DEFINITIONS:

Criminal Justice Information (CJI) — Criminal Justice Information is the abstract term used to refer to all of the FBI CJIS provided data necessary for law enforcement agencies to perform their mission and enforce the laws, including but not limited to: biometric, identity history, person, organization, property, and case/incident history data. In addition, CJI refers to the FBI CJIS-provided data necessary for civil agencies to perform their mission; including, but not limited to data used to make hiring decisions

Criminal History Record Information (CHRI) — A subset of CJI. Any notations or other written or electronic evidence of an arrest, detention, complaint, indictment, information or other formal criminal charge relating to an identifiable person that includes identifying information regarding the individual as well as the disposition of any charges.

Personally Identifiable Information (PII) — PII is information which can be used to distinguish or trace an individual's identity, such as name, social security number, or biometric records, alone or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, or mother's maiden name.

These terms are discussed in Section 4 of the FBI policy entitled **CRIMINAL JUSTICE AND PERSONALLY IDENTIFIABLE INFORMATION**. This section also explains that: "Any FBI CJIS provided data maintained by an agency, including but not limited to, education, financial transactions, medical history, and criminal or employment history may include PII." A criminal history record for example inherently contains PII as would an N-DEx case file.

New policies regarding PII are also included:

"PII shall be extracted from CJI for the purpose of official business only. Agencies shall develop policies, based on state and local privacy rules, to ensure appropriate controls are applied when handling PII extracted from CJI." Due to the expansive nature of PII, this policy does not specify auditing, logging, or personnel security requirements associated with the life cycle of PII.

"KCJIS-Sensitive Information" is the term defined by KCJIS Policy as "<u>All data provided through the KCJIS</u> including but not limited to: biometric, identity history, person, organization, property, and case/incident history data." Because KCJIS users obtain their CJI via KCJIS. "CJI" and "KCJIS-Sensitive Information" may be used interchangeably.

In recent years, several news reports of personal information being stolen, lost, or potentially released to unauthorized recipients has heightened the awareness of the need to protect personal information. The FBI's introduction of CJI and PII affirm that. It also effectively enlarges the scope of the data that the policy is intended to protect.

The FBI has provided a transition document that is also available from the KCJIS web portal https://www.kcjis.state.ks.us/Information/security_policies/CJIS%20Security%20requirements%20and%20transition%205.0.pdf . It gives CJIS agencies a list of the policy statements, where they are located in FBI policy, and when the FBI will begin enforcing it.

NEW FUNCTIONALITY FOR VEHICLE QUERIES TO MEXICO WILSON WILEY-KBI HELPDESK

Nlets has recently announced that RQ (out of state license plate/VIN) queries to Mexico will now query the following two databases:

1) The Mexico Commercial License Plate File. This file is housed in Mexico City and is provided to Nlets through the Federal Motor Carriers Safety Administration's connection in New York. All commercial vehicles in Mexico that cross Mexican state boundaries and into the United States are required to be federally registered and included in this file. If the vehicle is commercial and you receive a "not on file", it is not registered and is in violation of US-DOT operating authority. Queries can be run by license plate only.

The following record can be used for testing - $\,$ LIC/014DD1.LIY/2002.LIT/PC

More information may be obtained by viewing the help file MXLI-CHELP (AM.YOURORI.MXLICHELP.TXT).

2. In addition to the above, each RQ to MX will now be bifurcated to query the United States Insurance Verification Authentication (USIVA) program. This database is housed within the Nlets Network Operations Center in Phoenix, Arizona. Through an agreement with Elliott (an Nlets Strategic Partner,) a copy of each Mexican insurance policy captured by them is being sent to the USIVA database in real time. This database includes both commercial and noncommercial vehicle information. While the database is not complete with all Mexican vehicles, it is steadily growing and will serve as a valuable tool for law enforcement in verifying key information on traffic stops. In addition to providing the current insurance status, the record also includes the owner's registration information that Nlets will retain for a period of one year (a sample is provided below.)



Sample response: RR.MX0000000

14:38 09/07/2011 00017

14:46 09/07/2011 00012 AZNLETS26

TXT

CURRENT TRAVEL POLICY AS OF 2011-09-07

POLICY NUMBER: HRC-0021413

EFFECTIVE START DATE: 2011-08-29

EFFECTIVE END DATE: 2012-08-28

EFFECTIVE DAYS: 365

POLICY PREMIUM: 109.51

SUM INSURED: 1500000

INSURED FULL NAME: TEST POLICY PERSON NAME

INSURED ADDRESS: CLGENERAL MIGUEL BARRAGAN

1033

INSURED CITY: AGUASCALIENTES

INSURED STATE: AGUASCALIENTES

Continued on page 11



"More information may be obtained by viewing the help file MXLICHELP."

VEHICLE QUERIES—CONTINUED

*** VEHICLE DETAILS ***

VEHICLE VIN: WVWUE06KX1R5101AA

VEHICLE PLATE: AAA3649

VEHICLE INFO: GENERAL MOTORS SILVERADO 2500 CAB

REG LS 4X2 2007

VEHICLE TYPE: PRIVATE

Additional information on USIVA may be obtained by querying the MXLICHELP help file (AM.YOURORI.MXLICHELP.TXT).

There is a dire need for Mexican driver and vehicle information for law enforcement in the United States. Information sharing with Mexico is and always has been very limited. Access to the above information is a good step in the right direction.





KBI

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The KCJIS NEWSLETTER is published by the Kansas

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